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August 16, 2006

*Via Electronic Filing*

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: WT Docket No. 96-86  
*Ex Parte Notice*

Dear Ms. Dortch:

On August 15, 2006, Andrew Rein and the undersigned on behalf of Access Spectrum, LLC, and Cheryl Crate, Paul Kolodzy and Kathy Wallman on behalf of Pegasus Communications Corporation met with Linda Chang, John Evanoff, Tim Maguire, Brian Marenco, Paul Moon, Zenji Nakazawa and Michael Wilhelm of the Wireless Telecommunications Bureau and Selina Khan, Brad Lerner, and Thomas Lucey of the International Bureau. During the meeting, Access Spectrum and Pegasus discussed the enclosed slides.

Pursuant to the Commission's rules, this letter is being submitted for inclusion in the public record in the above-referenced proceeding.

Sincerely,

/s/ Ruth Milkman  
Ruth Milkman

Enclosures

cc:	Linda Chang	Tim Maguire
	John Evanoff	Brian Marenco
	Selina Khan	Paul Moon
	Brad Lerner	Zenji Nakazawa
	Thomas Lucey	Michael Wilhelm

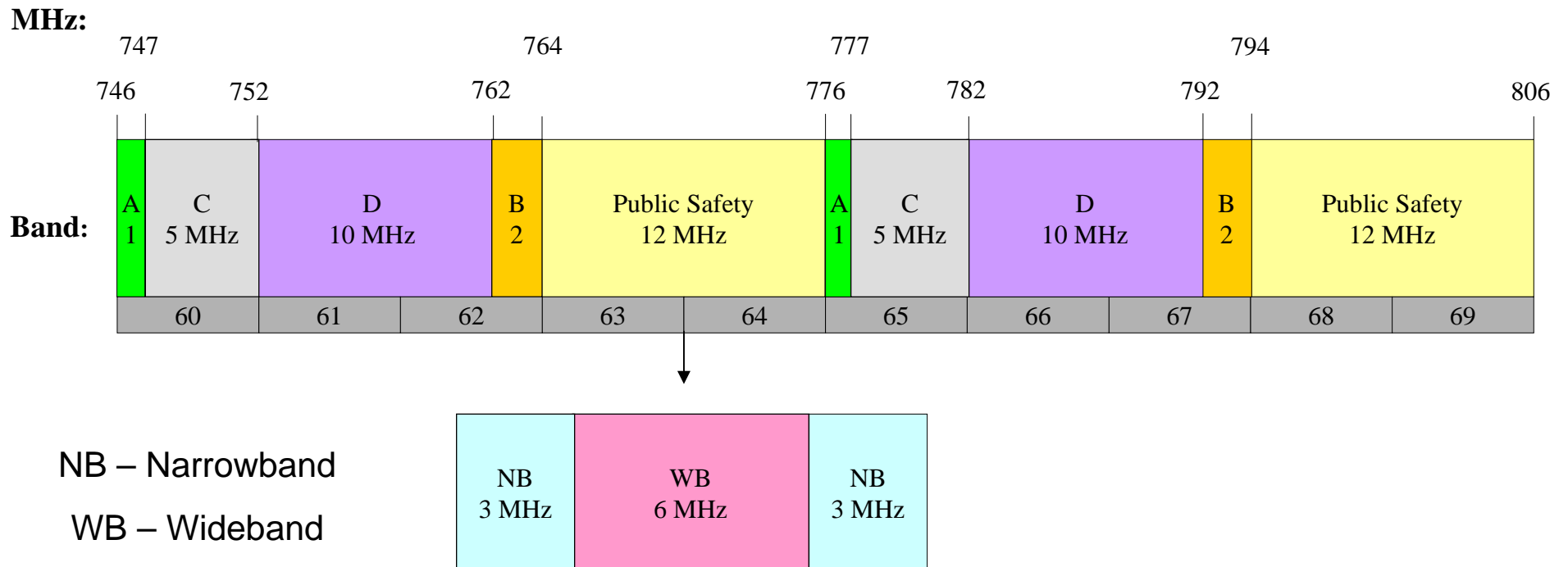
# **The Upper 700 MHz Broadband Optimization Plan**

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**August 2006**

# Current upper 700 MHz band

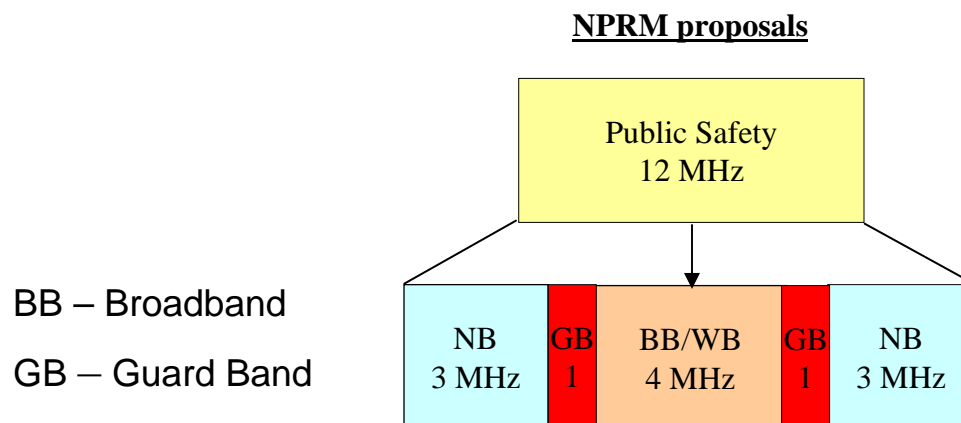
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# NPRM proposals

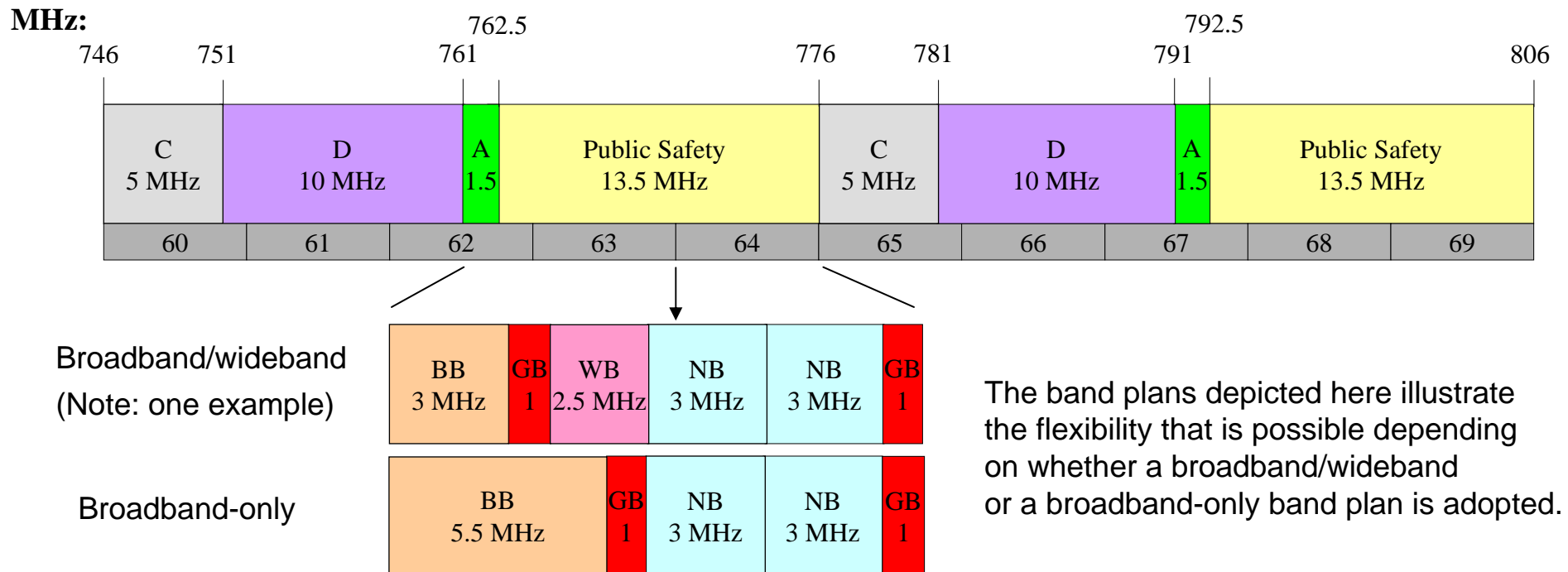
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- At NPSTC's request, the FCC has asked for recommendations on how to best accommodate broadband within the public safety allocation while
  - Maintaining 12 MHz of spectrum (6 MHz paired) devoted to narrowband voice
  - Ensuring there is ~1 MHz of “guard band” to protect narrowband from broadband
- The NPRM proposals each require internal guard bands and:
  - Nullify the possibility for a contiguous 5 MHz block of spectrum and unnecessarily restrict the amount of public safety wideband/broadband capacity
  - Require *eight* 1 MHz guard bands and waste the remaining B Block spectrum
  - Make it difficult to have public safety/commercial “mixed-use” partnerships for next-generation broadband networks in the future



# The solution: The Broadband Optimization Plan

- Step 1: consolidate the narrowband spectrum at the top of the public safety allocation
- Step 2: contribute 3 of 4 MHz from the B Block to public safety for internal guard bands used to separate narrowband/wideband from public safety and/or commercial broadband
- Step 3: contribute the remaining 1 MHz from the B Block to the A Block and move the A Block to the lower end of the public safety block



# Benefits of the plan

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- Promotes and improves effective public safety communications
  - Enables a broader array of broadband technologies
  - Increases broadband capacity while maintaining the narrowband voice allocation
  - Facilitates public safety/commercial broadband partnerships
  - Grants public safety control of and flexibility with respect to its guard bands
  
- Furthers the Commission's broadband goals
  - Increases usable broadband spectrum in BOTH the public safety and commercial allocations by 3 MHz (from 38 MHz to 44 MHz; increase of ~16%)
  
- Increases spectrum efficiency
  - Reduces the quantity of spectrum dedicated to guard bands from 10 MHz to 3 MHz
  - Maximizes the utilization of the A and B Blocks

# Broad public safety and commercial interest

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- In addition to the Joint Commenters (Access Spectrum, Columbia Capital, Intel and Pegasus), many public safety and commercial entities are supporting consideration of the Broadband Optimization Plan
  - Public safety – NPSTC, 700 MHz RPCs (24 – MO; 26 – NE; 39 – TN; 45 – WI), the state of Hawaii and the National Assoc. of Regional Planning Committees (NARPC)
  - Commercial – 3G Americas, Ericsson, Nokia, Northrop Grumman, Texas Instruments and the WiMAX Forum
  
- NPSTC Reply Comments:
  - *“The Access Spectrum proposal ... has merit yet presents several substantial contingencies . . . . NPSTC encourages interested parties to explore possible solutions . . . . NPSTC understands that a resolution may encompass other aspects of the 700 MHz band, yet urges the Commission to pursue the matter as expeditiously and succinctly as possible.” Reply Comments at 9.*
  
- Letter to FCC from APCO, IACP, IAFC, MCC, NSA, MCSA on July 31<sup>st</sup>:
  - Recognized the merit of the Broadband Optimization Plan and did not object to further consideration *if and only if* the Plan is considered on a timely basis and that it make clear that the identified problems must be resolved

# Next Steps

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- As noted previously, the Broadband Optimization Plan will give rise to two principal issues that the Joint Commenters, in conjunction with leading public safety officials, major commercial entities, engineers and subject-area experts are currently working on addressing:
  - Re-programming of deployed dual-band 700/800 MHz radios
  - Coordination along the Canadian border
  
- The Canadian coordination issue has two primary parts:
  - Technical/engineering solution
  - Updating the agreement with Canada (which will need to be updated to enable broadband use in any case) to:
    - Ensure the public safety community in the United States is able to take advantage of the benefits of the Broadband Optimization Plan
  
- The timely clearing of TV channels 64/69 in Canada, while not required to deploy public safety broadband systems, would be a tremendous benefit to New York State and other border states and regions



# BroadBand Optimization Plan

BroadBand Optimization Plan

